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Atty Dkt No. 0800-0022
 USSN: 09/706,580
 PATENT



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10/15/01 Susan LaMont
 Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Janet CUNNINGHAM

Serial No.: 09/706,580

Art Unit: 1635

Filing Date: November 3, 2000

Examiner: L. Nguyen

Title: ECDYSONE-INDUCIBLE ADENO-ASSOCIATED VIRUS
 EXPRESSION VECTORS

AMENDMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a Response to Restriction Requirement in the above patent application in response to the Office Action of September 13, 2001.

☐ Petition for Extension of Time enclosed.

☐ No additional fee is required.

☒ Also enclosed: postcard

No. of Claims After Amendment	Most Claims Previously Paid		Extra Claims		Additional Fee	
A. Total Claims	-	=	x	\$18	=	\$
B. Ind. Claims	-	=	x	\$40	=	\$
C. If amended to contain multiple dependent claims, add 280				\$280	=	\$
D. Total Amendment Fee (Total of A, B & C)					=	



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E. If small entity, 50% reduction of Total Amendment Fee (50% of D)	=	
F. Total Amendment Fee (D minus E)	=	\$


— A check for \$ to cover the extension of time fee and extra claims fee is attached.

— Charge \$ to Deposit Account No. 18-1648.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 10/15/01

By: 
Roberta L. Robins
Registration No. 33,208
Attorney for Applicants

ROBINS & PASTERNAK LLP
90 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: 650-325-7812
Facsimile: 650-325-7823



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#9/K.T.
10/24

In Re Application of:

Janet CUNNINGHAM

Serial No.: 09/706,580

Group Art Unit: 1635

Filing Date: November 3, 2000

Examiner: L. Nguyen

Title: ECDYSONE-INDUCIBLE ADENO-ASSOCIATED VIRUS
EXPRESSION VECTORS

ELECTION

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement dated September 13, 2001. The Examiner therein required election of one of the following groups of claims:

Group I, claims, 1-10, drawn to a recombinant AAV virion comprising a promoter operably linked to a polynucleotide of interest comprising at least one ecdysone-responsive element downstream of at least one ecdysone-responsive element;

Group II, claims, 11-18, drawn to a recombinant AAV virion comprising a first coding sequence encoding an ecdysone receptor;

Group III, claims, 19 and 20, drawn to a method of producing recombinant AAV virions comprising transfecting a host cell with an AAV vector

comprising a transcriptional promoter comprising at least one ecdysone-responsive element;


Group IV, claims 21-23, drawn to a method of producing recombinant AAV virions comprising transfecting a host cell with an AAV vector comprising a first coding sequence encoding an ecdysone receptor; and

Group V, claims 24-29, drawn to a method of inducing gene expression in a mammalian cell comprising transducing said cell with a first recombinant AAV virion comprising an AAV vector comprising a promoter comprising at least one ecdysone-responsive element.

Applicants hereby elect to prosecute the claims of Group V, claims 24-29, without traverse. Applicants expressly reserve their right under 35 USC §121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

Respectfully submitted,

Date: 10/15/01

By: 
Roberta L. Robins
Registration No. 33,208

ROBINS & PASTERNAK LLP
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Menlo Park, CA 94025
Telephone: (650) 325-7812
Fax: (650) 325-7823